

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRINCETON DEVELOPMENTS, LLC,

Plaintiff,

v.

BRYNEE K. BAYLOR; BAYLOR &  
JACKSON, PLLC; THE MILAN GROUP,  
INC.; FRANK LORENZO; GPH  
HOLDINGS, LLC; and PATRICK LEWIS,

Defendants.

No. C 11-4471 CW

ORDER GRANTING  
PLAINTIFFS' MOTION  
TO ALLOW SERVICE  
BY PUBLICATION  
UPON DEFENDANT  
DAWN JACKSON  
(Docket Nos. 102  
in 11-4471 and 89  
in 11-4472),  
ADDRESSING  
DEFENDANT MIA  
BALDASSARI'S  
FAILURE TO ANSWER  
IN 11-4471 AND  
CONTINUING CASE  
MANAGEMENT  
CONFERENCE

KUMAN BANQUE, LLC,

Plaintiff,

v.

BRYNEE K. BAYLOR; BAYLOR &  
JACKSON, PLLC; THE MILAN GROUP,  
INC.; and FRANK LORENZO,

Defendants.

No. C 11-4472 CW

On September 21, 2012, Plaintiffs Princeton Development, LLC and Kuman Banque, LLC moved this Court for an order allowing them an additional thirty days within which to effect service on Dawn Jackson. The supporting declaration explained the prior efforts taken and the reason why Plaintiff believed that thirty days would be sufficient. This Court granted the motion and set October 24, 2012 as the last day on which Plaintiffs could serve Jackson.

1 On October 22, 2012, Plaintiffs moved this Court for the  
2 second time for an order extending time for service and allowing  
3 them to accomplish service on Jackson by publication.<sup>1</sup> In his  
4 supporting declaration, Harold Lloyd, Plaintiffs' Maryland process  
5 server, described his nine attempts at Jackson's home including a  
6 stakeout and his total inability, since September 10, 2012, to get  
7 her to come to the door so that he could drop the papers in her  
8 view.

9 According to the First Amended Complaints (1ACs), Jackson is  
10 an attorney and at the time of the alleged fraud and legal  
11 malpractice, the law partner of Brynee Baylor, another Defendant  
12 in this action. Based on Lloyd's declaration, it appears that  
13 Jackson is taking extraordinary steps to avoid service and  
14 publication appears to be the only way to effect service.

15 Accordingly, for good cause shown, Plaintiffs' joint motion  
16 is GRANTED (Docket Nos. 102 in 11-4471 and 89 in 11-4472).  
17 Plaintiffs shall complete service by publication pursuant to  
18 California law by no later than November 30, 2012 or the claims  
19 against Jackson will be dismissed. Plaintiffs shall file proof of  
20 service upon Jackson no later than December 5, 2012.

21 The Court hereby CONTINUES the October 31, 2012 further case  
22 management conference to Wednesday, January 23, 2012, at 2:00 p.m.

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26 <sup>1</sup> Plaintiffs are reminded that, pursuant to Civil Local Rule  
27 5-1(g), they are required to submit their proposed orders in an  
28 approved processing format, such as Word, Word Perfect or ASCII  
text, to the Court's proposed order email address,  
CWpo@cand.uscourts.gov, in addition to filing their proposed  
orders in PDF format in the docket of these cases.

1 The Court notes that, after the Clerk entered default as to  
2 Defendant Mia Baldassari in the Princeton Developments action,  
3 Baldassari filed a motion for permission to appear by telephone at  
4 the case management conference in both of the above-captioned  
5 cases. The Court informs Baldassari that she is currently in  
6 default in the Princeton Developments action and that, if she  
7 wishes to defend the claims asserted against her in that case, she  
8 must make a motion to set aside the entry of default and show good  
9 cause to do so under Federal Rule of Civil Procedure 55(c).<sup>2</sup> If  
10 Baldassari makes such a motion, she is ordered to file it within  
11 the next two weeks and notice it for hearing on Jan. 23, 2013 at 2  
12 p.m., and to attach to her motion her proposed answer to the 1AC  
13 in the Princeton Developments action.

14 IT IS SO ORDERED.

15  
16 Dated: 10/29/2012

17   
18 CLAUDIA WILKEN  
19 United States District Judge  
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28 <sup>2</sup> Baldassari has answered the operative complaint in the  
Kuman Banque action. Docket No. 78 in 11-4472.